

Message Text

UNCLASSIFIED

PAGE 01 NAHA 00415 031025Z

13

ACTION EA-14

INFO OCT-01 ISO-00 EB-12 COME-00 TRSE-00 CIAE-00 INR-11

NSAE-00 RSC-01 L-03 DRC-01 SCSE-00 SSO-00 INRE-00

/043 W

----- 114669

O 031010Z OCT 74

FM AMCONSUL NAHA

TO AMEMBASSY TOKYO

INFO SECSTATE WASHDC 1506

UNCLASSIFIED NAHA 415

E O 11652 N/A

TAGS BDIS, PFOR, JA

SUBJECT AICHI-MEYER LETTER FOR EAST MARINE SERVICE AND SUSIE
TOURS

REF NAHA 411

TOKYO FOR THE AMBASSADOR AND MINISTER CULBERT

SUMMARY. DESPITE OPTIMISTEC PROGNOSIS A DAY OR SO AGO, IT NOW SEEMS
UNLIKELY THAT THE GOJ WILL PROMPTLY ACCORD THE NECESSARY LICENSES AND
PERMITS TO ENSURE THE CONTINUATION OF FOR EAST MARINE SERVICE AND
SUSIE TOURS BUSINESSES UNDER THE TERMS OF THE AICHI-MEYER LETTER. WE
EXPECT THAT HOWARD MCCLELLAN, PRESIDENT AF AM CHAM IN OKINAWA, WILL
RAISE THIS PROBLEM WITH THE AMBASSADOR AND IN WASHINGTON. END SUMMARY

1. THE CONGEN HAS BEEN IN STEADY NEGOTIATION OVER THE PAST MONTHS
WITH LOCAL GOJ OFFICIALS TO SECURE FOR TWO AMERICAN BUSINESSES, MARK
LYONS' FAR EEST MARINE SERVICE AND MRS. SUSIE GROSS' SUSIE TOURS,

PAGE TWO RHAIBQA4203 UNCLAS

THE RIGHTS TO CONTINUE POST-REVERSION OPERATIONS AS GUARANTEED UNDER
THE AICHI-MEYER LETTER. PROBABLY IN PART DUE TO MINISTER CULBERT'S
CONVERSATION WITH THE VICE MINISTER OF TRANSPORTATION AS WELL AS OUR
FORMAL REQUESTS TO THE GOJ OKINAWA GENERAL AFFAIRS BUREAU, WE HAVE
MADE SOME SIGNIFICANT PROGRESS. AS LATE AS YESTERDAY MORNING BOTH WE
AND HOWARD MCCLELLAN. THEIR LAWYER AND PRESIDENT OF THE AMCHAM IN
OKINAWA, THOUGHT ALL WAS ON COURSE. HOWEVER, NEW OBSTACLES CAME UP
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 NAHA 00415 031025Z

WHEN A CONGEN OFFICER ACCOPANIED LYONS AND ATTORNEY TERUYA OF

MCCLELLAN AND FRENCH LAW OFFICES TO DISCUSS THE TWO CASES WITH MINISTRY OF TRANSPORTATION OFFICIALS AFTERNOON OCT 2. THE PRESENT STATUS OF THE CASES IS AS FOLLOWS:

2. FOR EAST MARINE SERVICE. MOT DIRECTOR KUMASHIRO INFORMED US THAT GOJ WILL ISSUE SPECIAL PERMISSIONS TO ENGAGE IN COASTAL NAVIGATION AND TO ENTER NON-OPEN PORTS FOR A TWO YEAR PERIOD FOR ALL FOUR OF AMERICAN-OWNED BOATS. WITH SPECIAL PERMISSIONS ISSUED, HE SAID GOJ WILL CONSIDER CASE CLOSED. KUMASHIRO THEN TOLD US. HOWEVER, THAT MR. LYONS COULD NOT HAVE HIS BOAT OPERATOR'S LICENSE

PAGE THREE RHAIBQA4203 UNCLAS

VALIDATED, THAT HE WOULD HAVE TO HIRE JAPANESE SEAMEN UNDER JAPANESE LAWS, AND THAT ALL THE VESSELS WOULD HAVE TO BE INSPECTED AND MEET ALL JAPANESE STANDARDS. CONGEN OFFICER REPLIED THAT WE APPRECIATED EFFORTS TO ISSUE SPECIAL PERMISSIONS, BUT WE HAD UNDERSTOOD THAT PURPOSE OF GETTING COMPROMISE SPECIAL PERMISSIONS FOR A LIMITED PERIOD WAS TO ALLOW MR. LYONS TO OPERATE HIS BOATS AND BUSINESS FOR TWO YEARS WITHOUT HAVING TO APPLY FOR LICENSES WHICH GOJ COULD NOT GIVE HIM OR TO SUBMIT TO PROCEDURES WHICH DIFFERENCES IN AMERICAN AND JAPANESE LAWS AND STANDARDS WOULD MAKE IMPOSSIBLE FOR HIM. THE ABOVE REQUIREMENTS WOULD EFFECTIVELY AND PROMPTLY DRIVE MR. LYONS OUT OF BUSINESS. WE ADDED THAT WE WOULD NOT CONSIDER THE CASE CLOSED UNTIL FEMS COULD INDEED SATISFACTORILY OPERATE ITS BUSINESS FOR THE LIMITED PERIOD.

3. SUSIE TOURS. MT ACTION OFFICER SUZUKI TOLD US THAT HE HAD INFORMED MOT OF HICOM (HIGH COMMISSIONER) ORDINANCE NO. 11. UNDER WHICH SUSIE TOURS HAD BEEN PERMITTED TO OPERATE WITHOUT SPECIFIC APPROVAL OR LICENSE FROM THE GOVT OF THE RYUKYU ISLANDS. MOT WAS NOT WILLING TO ACCEPT THE EXPLANATION AND CONTINUED TO MAINTAIN THAT SUSIE GROSS' EXPERIENCE AFTER HAVING RECEIVED A GRI TOURIST AGENT LICENSE IN 1969 WAS NOT SUFFICIENT TO QUALIFY HER NOW FOR AN INDIVI-

PAGE FOUR 4203 UNCLAS

DUAL TOURIST AGENT LICENSE. INFORMED BY TERUYA THAT MRS. GROSS INTENDED TO SELL HER BUSINESS BY FEBRUARY 1976, SUZUKI NOTED THAT THE LICENSE COULD PROBABLY BE ISSUED WITHIN SIX MONTHS. THIS, UNCLASSIFIED

UNCLASSIFIED

PAGE 03 NAHA 00415 031025Z

HOWEVER, LEAVES MRS. GROSS IN LIMBO AND REAL UNCERTAINTY, AND IS UNSATISFACTORY BOTH TO HER AND HER LAWYER.

4. WE EXPECT THAT HOWARD MCCLELLAN, AFTER THIS LATEST SETBACK, WILL RAISE THESE TWO CASES WITH THE AMBASSADOR AND, IF PROMPT SOLUTIONS DO NOT MATERIALIZE, POLITICALLY IN WASHINGTON. MCCLELLAN'S ARGUMENT IS THAT THE LICENSES AND PERMITS WERE PROMISED IN THE AICHI-MEYER LETTER; BY NOT ISSUING THE LICENSES AND PERMITS THE GOJ IS FORCING THE TWO FIRMS OUT OF BUSINESS AND IS RESPONSIBLE IN EFFECT

FOR THE" CONSTRUCTIVE EXPROPRIATION" OF THEIR PROPERTY; THE GOJ SHOULD ISSUE THE LICENSES AND PERMITS AS PROMISED IN THE AICHI-MEYER LETTER OR PAY COMPENSATION FOR THE EXPROPRIATED PROPERTY.
5. WE ARE CONVINCED THAT THE LOCAL REPRESENTATIVES OF THE MOT HAVE GONE AS FAR AS THEY CAN WITH LIBERAL APPLICATION OF THE GOJ REGULATIONS. IN ORDER FOR THEM ACTUALLY TO ISSUE ALL THE NECESSARY LICENSES AND PERMITS(WHICH IN FACT ARE TO ALLOW THE TWO FIRMS TO SELL OUT AT A DECENT PRICE), THE MOT IN TOKYO MUST GIVE ITS APPROVAL TO A MORE THOROUGH-GOING MODIFICATION OF THEIR CUSTOMARY REGULATIONS

PAGE FIVE RHAIBQA4203 UNCLAS

IN ORDER TO MEET THE GUARANTEES THEY GAVE UNDER THE AICHI-MEYER LETTER. WE WOULD APPRECIATE IT IF THE EMBASSY COULD TAKE UP THESE CASES FORMALLY WITH MOT TO RESOLVE THEM ASAP.

SYLVESTER

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 03 OCT 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974NAHA00415
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740279-0993
From: NAHA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19741076/aaaacmvw.tel
Line Count: 132
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EA
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: NAHA 411
Review Action: RELEASED, APPROVED
Review Authority: cunninfx
Review Comment: n/a
Review Content Flags:
Review Date: 05 MAR 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <05 MAR 2002 by chappeld>; APPROVED <06 FEB 2003 by cunninfx>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: AICHI-MEYER LETTER FOR EAST MARINE SERVICE AND SUSIE TOURS
TAGS: BDIS, JA, EAST MARINE SERVICE, SUSIE TOURS
To: TOKYO
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005